



DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing or <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	NOVCEL.017A
	First Named Inventor	David Scharp, et al.
	COMPLETE IF KNOWN	
	Application Number	10/684,859
	Filing Date	October 14, 2003
	Art Unit	
	Examiner Name	

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPLANTATION OF ENCAPSULATED BIOLOGICAL MATERIALS FOR TREATING DISEASES

the specification of which

☐ is attached hereto

OR

☒ was filed on 10/14/2003 as United States Application Number or PCT International Application Number 10/684,859 and was amended on MM/DD/YYYY (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventors or plant breeders rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent inventors or plant breeders rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign filing date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it display a valid OMB control number.

DECLARATION -- Utility Or Design Patent Application

Direct all correspondence to ☐ Customer Number or Bar Code Label or ☒ Correspondence address below

Name **Kirk Hahn, Novocell, Inc**

Address **31 Technology Drive, Suite 100**

City **Irvine**

State **CA**

ZIP **92618**

Country **USA**

Telephone **949-727-1942 ext. 217**

Fax **949-727-3005**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name **David**
(first and middle [if any])

Family Name **Scharp**
or Surname

Inventor's
Signature



Date **2-2-04**

Residence: City **Mission Viejo**

State
CA

Country **USA**

Citizenship **USA**

Mailing Address **23858 Skyline Dr.**

City **Mission Viejo**

State
CA

ZIP **92692**

Country **USA**

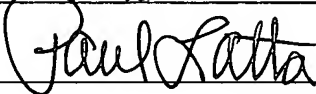
NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name **Paul**
(first and middle [if any])

Family Name **Latta**
or Surname

Inventor's
Signature



Date **2-04-04**

Residence: City **Irvine**

State
CA

Country **USA**

Citizenship **USA**

Mailing Address of **19 Woodpine Drive**

City **Irvine**

State
CA

ZIP **92604**

Country **USA**

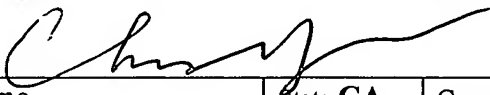
NAME OF ADDITIONAL JOINT INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name **Chengyun**
(first and middle [if any])

Family Name **Yue**
or Surname

Inventor's
Signature



Date **Feb. 2, 04**

Residence: City **Irvine**

State **CA**

Country **USA**

Citizenship **USA**

Mailing Address **225 Darlington**

City **Irvine**

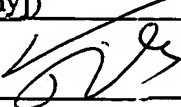
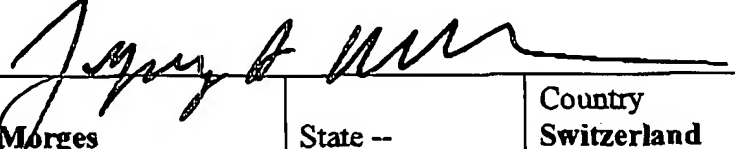
State **CA**

ZIP **92620**

Country **USA**

☐ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3
--------------------	--------------------------------------------------------------------

NAME OF ADDITIONAL JOINT INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor
Given Name Xiaojie (first and middle [if any])		Family Name Yu or Surname	
Inventor's Signature 			Date 2-2-04
Residence City Irvine	State CA	Country USA	Citizenship CHINA USA
Mailing Address 79 Legacy Way			
City Irvine	State CA	ZIP 92602	Country USA
NAME OF ADDITIONAL JOINT INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor
Given Name Jeffrey Alan (first and middle [if any])		Family Name Hubbell or Surname	
Inventor's Signature 			Date 29 Jan 2004
Residence City Morges	State --	Country Switzerland	Citizenship USA
Mailing Address Rue Louis de Savoie 27			
City Morges	State --	ZIP --	Country Switzerland
NAME OF ADDITIONAL JOINT INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	ZIP	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Please type a plus sign (+) inside this box ☒

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it display a valid OMB control number.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number: 10/684,859

Filing Date: October 14, 2003

First Named Inventor: David Scharp, et al.

Title: Implantation of Encapsulated Biological

Group Art Unit

Examiner Name

Attorney Docket Number: NOVCEL.017A

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner named below:

Name
KIRK HAHN

Registration Number
51,763

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

OR

☒ Firm
or Individual Name **Kirk Hahn, Novocell, Inc.**

Address **31 Technology Drive**

Address **Suite 100**

City **Irvine** State **CA** Zip **92618**

Country **USA**

Telephone **949-727-1942 ext. 217** Fax **949-727-3005**

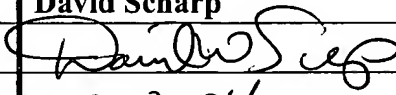
I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name **David Scharp**

Signature 

Date **2-2-04**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below'

☐ Total of _____ are submitted.

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ASSIGNMENT OF APPLICATION

Docket Number (Optional)
NOVCEL.017A

Whereas, I, **David Scharp** of **23858 Skyline Dr., Mission Viejo, CA, 92692**, hereafter referred to as applicant, have invented certain new and useful improvements in **IMPLANTATION OF ENCAPSULATED BIOLOGICAL MATERIALS FOR TREATING DISEASES**

COPY

☒ for which an application for a United States Patent was filed on **October 14, 2003**, Application Number **10/684,859**.

☐ for which an application for a United States Patent was executed on _____, and

Whereas, **Novocell, Inc.** of **Irvine, California** here referred to "assignee" whose mailing address is **31 Technology Drive, Suite 100, Irvine, CA, 92618** is desirous of acquiring the entire right, title and interest in the same;

Now, I, the applicant, do assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. I hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 2nd day of February, 2004
at Irvine, CA

David W. Scharp
Signature

DAVID W. SCHARP
Printed Name

State of California

SS:

County of Orange

Before me personally appeared said David W. Scharp
and acknowledged the foregoing instrument to be his free act and deed this 2nd
day of February, 2004 Seal

Notary Signature: Terese M. Garrett

Notary Expires: March 23, 2005

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

Total of _____ forms are submitted.





Please type a plus sign (+) inside this box ☒

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number: 10/684,859
Filing Date: October 14, 2003
First Named Inventor: David Scharp, et al.
Title: Implantation of Encapsulated Biological
Group Art Unit
Examiner Name
Attorney Docket Number: NOVCEL.017A

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner named below:

Name
KIRK HAHN

Registration Number
51,763

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

OR

☒ Firm
or Individual Name **Kirk Hahn, Novocell, Inc.**

Address **31 Technology Drive**

Address **Suite 100**

City **Irvine** State **CA** Zip **92618**

Country **USA**

Telephone **949-727-1942 ext. 217** Fax **949-727-3005**

I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name **Paul Latta**

Signature **Paul Latta**

Date **11/06/03**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below'

☐ Total of _____ are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ASSIGNMENT OF APPLICATION

Docket Number (Optional)
NOVCEL.017A

Whereas, I, **Paul Latta** of **19 Woodpine Drive, Irvine, CA 92604**, hereafter referred to as applicant, have invented certain new and useful improvements in **IMPLANTATION OF ENCAPSULATED BIOLOGICAL MATERIALS FOR TREATING DISEASES**

☒ for which an application for a United States Patent was filed on **October 14, 2003**, Application Number **10/684,859**.

☐ for which an application for a United States Patent was executed on _____, and

Whereas, **Novocell, Inc. of Irvine, California** here referred to "assignee" whose mailing address is **31 Technology Drive, Suite 100, Irvine, CA, 92618** is desirous of acquiring the entire right, title and interest in the same;

Now, I, the applicant, do assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. I hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 6th day of November, 2003.

at Novocell, Inc. in Irvine, California

Paul Latta
Signature

PAUL LATTA
Printed Name

State of California

SS:

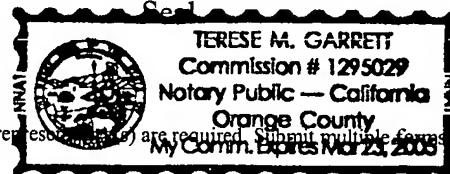
County of Orange

Before me personally appeared said Paul Latta and acknowledged the foregoing instrument to be his free act and deed this 6th day of November, 2003

Notary Signature: Terese M. Garrett

Notary Expires: March 23, 2005

Note: Signatures of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required.



Total of _____ forms are submitted.



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PTO/SB/81 (02-01)

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number: 10/684,859
Filing Date: October 14, 2003
First Named Inventor: David Scharp, et al.
Title: Implantation of Encapsulated Biological
Group Art Unit
Examiner Name
Attorney Docket Number: NOVCEL.017A

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner named below:

Name
KIRK HAHN

Registration Number
51,763

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

OR

☒ Firm
or Individual Name **Kirk Hahn, Novocell, Inc.**

Address **31 Technology Drive**

Address **Suite 100**

City **Irvine** State **CA** Zip **92618**

Country **USA**

Telephone **949-727-1942 ext. 217** Fax **949-727-3005**

I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name **Chengyun Yue**

Signature

Date

11/5/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ are submitted.

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COPY

ASSIGNMENT OF APPLICATION

Docket Number (Optional)
NOVCEL.017A

Whereas, I, **Chengyun Yue** of **225 Darlington, Irvine, CA, 92620**, hereafter referred to as applicant, have invented certain new and useful improvements in **IMPLANTATION OF ENCAPSULATED BIOLOGICAL MATERIALS FOR TREATING DISEASES**

☒ for which an application for a United States Patent was filed on **October 14, 2003**, Application Number **10/684,859**.

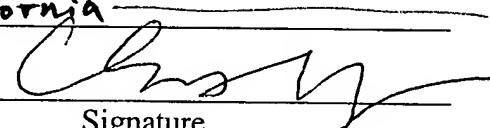
☐ for which an application for a United States Patent was executed on _____, and

Whereas, **Novocell, Inc.** of **Irvine, California** here referred to "assignee" whose mailing address is **31 Technology Drive, Suite 100, Irvine, CA, 92618** is desirous of acquiring the entire right, title and interest in the same;

Now, I, the applicant, do assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. I hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 6th day of November, 2003.

at Novocell, Inc., Irvine, California


Signature

Chengyun Yue

Printed Name

State of California

SS:

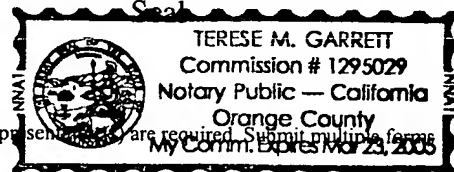
County of Orange

Before me personally appeared said Chengyun Yue
and acknowledged the foregoing instrument to be his free act and deed this 6th
day of November, 2003

Notary Signature: Terese M. Garrett

Notary Expires: March 23, 2005

Note: Signatures of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required.



Total of _____ forms are submitted.



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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number: 10/684,859

Filing Date: October 14, 2003

First Named Inventor: David Scharp, et al.

Title: Implantation of Encapsulated Biological

Group Art Unit

Examiner Name

Attorney Docket Number: NOVCEL.017A

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner named below:

Name
KIRK HAHN

Registration Number
51,763

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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☒ Firm
or Individual Name **Kirk Hahn, Novocell, Inc.**

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Address **Suite 100**

City **Irvine** State **CA** Zip **92618**

Country **USA**

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I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name **Xiaojie Yu**

Signature

Date

11/5/2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below'

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ASSIGNMENT OF APPLICATION

Docket Number (Optional)
NOVCEL.017A

Whereas, I, **Xiaojie Yu** of **79 Legacy Way, Irvine, CA**, hereafter referred to as applicant, have invented certain new and useful improvements in **IMPLANTATION OF ENCAPSULATED BIOLOGICAL MATERIALS FOR TREATING DISEASES**

☒ for which an application for a United States Patent was filed on **October 14, 2003**, Application Number **10/684,859**.

☐ for which an application for a United States Patent was executed on _____, and

Whereas, **Novocell, Inc.** of **Irvine, California** here referred to "assignee" whose mailing address is **31 Technology Drive, Suite 100, Irvine, CA, 92618** is desirous of acquiring the entire right, title and interest in the same;

Now, I, the applicant, do assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. I hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 5th day of November, 2003.

at Novocell, Inc. in Irvine, California

Xiaojie Yu
Signature

Xiaojie Yu
Printed Name

State of California

SS:

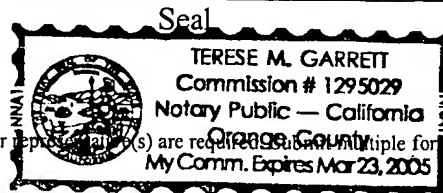
County of Orange

Before me personally appeared said Xiaojie Yu and acknowledged the foregoing instrument to be his free act and deed this 5th day of November, 2003

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Notary Expires: March 23, 2005

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Attorney Docket Number: NOVCEL.017A

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or Individual Name **Kirk Hahn, Novocell, Inc.**

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I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name **Jeffrey Hubbell**Signature Date **29 Jan 2004**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY

ASSIGNMENT OF APPLICATION

Docket Number (Optional)
NOVCEL.017A

Whereas, I, **Jeffrey Hubbell** of **Clausiusstrasse 35, CH-8006, Zurich, Switzerland**, hereafter referred to as applicant, have invented certain new and useful improvements in **IMPLANTATION OF ENCAPSULATED BIOLOGICAL MATERIALS FOR TREATING DISEASES**

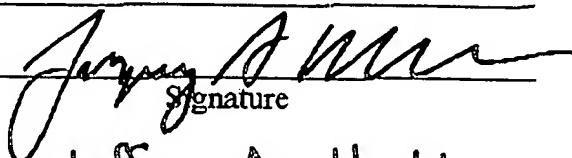
☒ for which an application for a United States Patent was filed on **October 14, 2003**, Application Number **10/684,859**.

☐ for which an application for a United States Patent was executed on _____, and

Whereas, **Novocell, Inc.** of **Irvine, California** here referred to "assignee" whose mailing address is **31 Technology Drive, Suite 100, Irvine, CA, 92618** is desirous of acquiring the entire right, title and interest in the same;

Now, I, the applicant, do assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. I hereby authorize and request the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 30 day of January, ²⁰⁰⁴~~2003~~
at Zürich.


Signature

Jeffrey A. Hubbell
Printed Name

State of _____)

SS:

County of _____)

Before me personally appeared said _____
and acknowledged the foregoing instrument to be his free act and deed this _____
day of _____, 2003 Seal

Notary Signature: _____

Notary Expires: _____

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

Total of _____ forms are submitted.

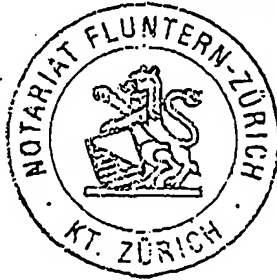
COPY**Official Certification**

Seen for authentication of the reverse side signature, affixed in our presence
by

Jeffrey Alan Hubbell, born 7th day of November 1959, citizen of the United
States of America, residing (according to his information) at Rue Louis de
Savoie 27, 1110 Morges,
who has identified himself by passport.

Zurich, this 30th day of January 2004

B No. 409
Fee: Fr. 20.--



NOTARIAT FLUNTERN-ZÜRICH

L. Neuenschwander, Deputy Notary public